

## **SECTION 9.5: "AE" EXCLUSIVE AGRICULTURAL ZONE**

(Added by Ord. No. 1169, effective 10-26-67)

### **PURPOSE**

- A.** This zone is intended primarily for application to rural areas of the County which are generally characterized by extensive or intensive agricultural uses of land.

### **USE**

- B.** No building or land shall be used, and no building shall be erected or structurally altered, except for the following uses:

1. The growing and harvesting of field crops, fruit and nut trees, vines, vegetables, horticultural specialties and timber.
2. Apiary and honey extraction plant. (Amended by Ord. No. 2416, effective 5-28-81.)
3. The operation of a dairy so long as no more than twenty-five (25) cows are on the property at any time. A dairy with more than twenty-five (25) cows requires a Special use Permit under Section 16 of this Ordinance. (Amended by Ord. No. 1526, effective 10-5-72.)
4. The raising and slaughter of poultry, rabbits and other fur-bearing animals, except when a Use Permit is required under Subsection D of this Section.
5. The raising and slaughter of sheep, goats, horses, mules, swine, bovine animals, and other similar domesticated quadrupeds, except when a Use Permit is required under Subsection D of this Section.
6. Feed lot for twenty-five (25) animals or less.
7. (Repealed by Ord. No. 2720, effective 8-5-86.)
8. (Repealed by Ord. No. 2720, effective 8-5-86.)
9. Incidental and accessory structures and uses including barns, stables, coops, tank houses, storage tanks, wind machines, windmills, silos and other farm buildings, private garages and carports, guest houses, storehouses, garden structures, greenhouses, recreation rooms, storage and use of petroleum products, and kennels for private non-commercial use. (Amended by Ord. No. 2828, effective 3-31-88.)

10. Mobilehomes and residences for the owners and lessees of the property and for housing farmworkers or employees who work on the property, but not including housing for ten (10) or more farmworkers and employees. Housing for ten (10) or more farmworkers and employees may be allowed under the use permit procedure set forth in Section 16 of this Ordinance. (Amended by Ord. No. 3009, effective 9-24-92).
11. One (1) single-family residence or mobilehome for persons other than those mentioned in Paragraph 10 above for each two and one-half (2-1/2) acres in the entire property. If a lot has less than two and one-half (2-1/2) acres and was of record at the time this zone becomes applicable to the property, one (1) single-family residence or mobilehome for persons other than those mentioned in Paragraph 10 above may be constructed. (Amended by Ord. No. 1586, effective 5-31-73; amended by Ord. No. 1596, effective 6-28-73.)
12. Plant nurseries not including retail sales. (Amended by Ord. No. 2754, effective 1-15-87.)
13. (Amended by Ord. No. 1311, effective 6-19-69; repealed by Ord. No. 1528, effective 10-12-72.)
14. Sale of agricultural products, including sale at roadside stands and from vehicles, if more than one-half (1/2) of the retail value of the agricultural products offered for sale at any time has been produced on the property where the sale is conducted or on other property owned by the same person who owns the property where the sale is conducted. As used in this paragraph, "agricultural products" means commodities produced for the purpose of food, fuel and fiber, and also includes feed for livestock and fowl and trees grown for ornamental use, such as Christmas trees. (Amended by Ord. No. 2520, effective 2-24-83, amended by Ord. No. 2692, effective 2-27-86; amended by Ord. No. 2754, effective 1-15-87.)
15. Signs which pertain only to a permitted use of the property on which the sign is situated or which pertain to the sale, lease, or rental of the property or a structure or personal property located on the property. In addition, signs which are no larger than four (4) square feet in area and which

pertain to producer and marketing associations and organizations with which the owner or lessee is affiliated are allowed. (Amended by Ord. No. 2520, effective 2-24-83.)

16. Temporary landing of helicopters engaged in agricultural uses.
17. (Amended by Ord. No. 2520, effective 2-24-83, repealed by Ord. No. 2720, effective 8-5-86.)
18. The storage and/or handling of agricultural chemicals for on-farm, noncommercial use only. (Added by Ord. No. 3131, effective 10-12-95.)
19. Bed and Breakfast Home with one or two guest rooms. (Added by Ord. No. 3222, effective 4-22-99.)
20. Family Day Care Home, small. (Added by Ord. No. 3222, effective 4-22-99.)

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- C.** (Repealed by Ord. No. 1586, effective 5-31-73.)

**USE PERMITS**

- D.** Because of considerations of smoke, fumes, dust, odor and other hazards, regardless of the other provisions of this Section, the establishment and operation of the following uses shall be permitted in this zone only if a use permit is first secured pursuant to the procedures referred to in Paragraph B of Part II of Section 16 of this Ordinance. (Amended by Ord. No. 2520, effective 2-24-83.)

1. Hunting and fishing clubs and hunting and fishing on a commercial basis for members of the general public, provided that the site complies with Subsection F of Part II of Section 16 of this Ordinance. (Amended by Ord. No. 2520, effective 2-24-83; amended by Ord. No. 3131, effective 10-12-95.)
2. Manufacture of irrigation pipe and accessory equipment and agricultural machinery, equipment, implements and containers, including sales and storage thereof, provided that any such irrigation pipe, machinery equipment, implements or containers are used specifically to aid in the production of farm animals or crops and at least 50% of the manufactured products are sold directly to farmers.

(Repealed by Ord. No. 1526, effective 10-5-72; readopted by Ord. No. 2520, effective 2-24-83.)

3. Raising or slaughter of poultry when more than three (3) birds for each 1300 square feet in the entire property, or more than a total of 100 birds in all, are on the property at any time. (Amended by Ord. No. 2520, effective 2-24-83.)
4. Raising or slaughter of rabbits or other fur-bearing animals when a total of more than 60 mature animals are on the property at any time. (Amended by Ord. No. 2520, effective 2-24-83.)
5. Raising or slaughter of sheep, goats, horses, mules, swine, bovine animals or other similar domesticated quadrupeds when more than two (2) mature animals for each acre in the entire property are on the property at any time, excluding feed lots or areas for concentrated feeding of more than 25 animals. (Amended by Ord. No. 2520, effective 2-24-83.)
6. Residences or mobilehomes in excess of those allowed under Paragraph 11 of Subsection B of this Section for use by the person specified in said Paragraph 11 of Subsection B. (Amended by Ord. No. 2520, effective 2-24-83.)
7. Sale of agricultural products and feed for livestock and fowl, including sale at roadside stands and from vehicles, which does not constitute an allowed use under Subsection B of this Section. (Amended by Ord. No. 2520, effective 2-24-83, amended by Ord. No. 2692, effective 2-27-86.)
8. Seed cleaning and treating plant. (Amended by Ord. No. 2520, effective 2-24-83.)
9. Sewage treatment plant and disposal area. (Amended by Ord. No. 2520, effective 2-24-83.)
10. Similar uses when determined in the manner described in Section 15, Paragraph A, USE, Subparagraph 1, item b. (Amended by Ord. No. 2520, effective 2-24-83.)
11. Divisions of land as follows: (Added as Paragraph 18 by Ord. No. 2388, effective 12-12-80; renumbered from Paragraph 18 to Paragraph 11 by Ord. No. 2520, effective 2-24-83.)

- a. Divisions of land resulting in parcels containing less than five (5) acres for the purpose of conveying property containing existing agricultural-related industries or services established in accordance with all applicable building and zoning regulations.
  - b. Divisions of land resulting in parcels containing less than five (5) acres for the purpose of establishing new agricultural-related industries or services in accordance with all applicable building and zoning regulations.
- 12. Establishments for the curing, processing, packaging, packing, storage and shipping of agricultural products. (Original Paragraph repealed by Ord. No. 2420, effective 2-24-83; New Paragraph added by Ord. No. 2720, effective 8-5-86.)
- 13. Agricultural service establishments primarily engaged in performing agricultural animal husbandry services or horticultural services to farmers, and services to farmers or farm-related activities in planting, harvesting, storage, hauling and equipment repair and maintenance. (Original Paragraph repealed by Ord. No. 2420, effective 2-24-83; New paragraph added by Ord. No. 2720, effective 8-5-86.)
- 14. Agricultural chemical experiment stations. (Original paragraph repealed by Ord. No. 2420, effective 2-24-83; New paragraph added by Ord. No. 2720, effective 8-5-86.)
- 15. (Repealed by Ord. No. 2420, effective 2-24-83.)
- 16. (Repealed by Ord. No. 2420, effective 2-24-83.)
- 17. (Repealed by Ord. No. 2420, effective 2-24-83.)
- 18. (Repealed by Ord. No. 2420, effective 2-24-83.)
- 19. Plant nursery: the retail sales of trees, shrubs, vines, flowers or grasses propagated for transplanting or for use as stock for grafting, providing said retail sales are incidental to a wholesale plant nursery, and providing the area dedicated to retail sales of non-plant stock accessory

items necessary for propagation and grafting may be allowed in an area up to five percent (5%) of the total square footage in the site area. (Added by Ord. No. 3200, effective 2-26-98)

<b>SITE AREA PER DWELLING UNIT</b>	<b>E.</b>	(Repealed by Ord. No. 1586, effective 5-31-73.)
<b>COVERAGE</b>	<b>F.</b>	No limitation.
<b>FENCES, WALLS AND HEDGES</b>	<b>G.</b>	Fences, walls, and hedges shall be permitted. However, no solid fence, wall or hedge shall exceed three (3) feet in height within the area of a corner lot described as follows: that area on the street side of a diagonal line connecting points, measured from the intersection corner, fifty (50) feet on a minor street side of the lot and seventy (70) feet on a major street side of a lot.
<b>YARD REQUIREMENTS</b>	<b>H.</b>	<ol style="list-style-type: none"><li>1. Front Yard: The minimum front yard shall be twenty-five (25) feet except along those streets and highways where a greater setback is required by other Ordinances of the County.</li><li>2. Rear Yard: The minimum rear yard shall be twenty-five (25) feet except along those streets and highways where a greater setback is required by other Ordinances of the County.</li><li>3. Side Yards: The minimum side yards shall be ten (10) feet except along those streets and highways where a greater setback is required by other Ordinances of the County.</li><li>4. Required yard areas may be used for the growing of agricultural crops.</li></ol>
<b>HEIGHT OF STRUCTURES</b>	<b>I.</b>	Not more than fifty (50) feet to the uppermost part of the roof except that water tanks, silos, granaries, wind machines, barns and other accessory structures may exceed fifty (50) feet in height provided they do not project into the landing or takeoff zone, or other restricted areas of an airport, established pursuant to Sections 7-13-1000 - 7-13-1085 of the Ordinance Code of Tulare County.
<b>DISTANCES BETWEEN STRUCTURES</b>	<b>J.</b>	The minimum distance between a structure used for human habitation and a pen, coop, stable, barn, corral or other structure housing livestock or poultry shall be forty (40) feet.

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- K.** (Added by Ord. No. 1586, effective 5-31-73; amended by Ord. No. 1807, effective 4-3-75; repealed by Ord. No. 2750, effective 1-15-87.)

**DIVISIONS OF  
LAND**

- L.** All real property, improved or unimproved, which is shown on the latest adopted County tax roll as a unit or as contiguous units and which is owned by the same person or persons shall not be divided, after the effective date of this Subsection, except in compliance with this Subsection. No such land may be divided for any purpose if any one (1) parcel resulting from the division of land contains less than five (5) acres; provided, however, that the transactions set forth in Subsection D.2 of Section 15 of this Ordinance are not subject to this restriction.

Notwithstanding the aforementioned restrictions, if the entire property contained less than five (5) acres at the time AE zoning was applied to the property, the entire property may be sold as a single unit.

Any divisions of land which are allowed under this Subsection shall be made in compliance with the provisions of Sections 7-01-1000 - 7-01-2855 of the Ordinance Code of Tulare County. (Subsection L added by Ord. No. 1586, effective 5-31-73; amended by Ord. No. 1596, effective 6-28-73; amended by Ord. No. 1638, effective 9-27-73; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 1990, effective 1-27-77; amended by Ord. No. 2112, effective 6-1-78; amended by Ord. No. 2272, effective 9-27-79; amended by Ord. No. 2693, effective 2-27-86; amended by Ord. No. 2751, effective 2-1-87.)